

REMARKS/ARGUMENTS

Claims 1-22 were previously pending in the application. Claims 10 and 14 are cancelled, claims 1-9, 11-13, and 15-22 are amended, and new claims 23-41 are added herein. Assuming the entry of this amendment, claims 1-9, 11-13, and 14-41 are now pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

In paragraph 1, the Examiner objected to the term “the invention” in claims 2-20. In response, these claims are amended herein to recite instead “the method.” It is believed that this amendment overcomes the Examiner’s objection to claims 2-20.

In paragraph 3, the Examiner objected to claim 2 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of claim 1. The Applicant respectfully submits that claim 2 does, in fact, further limit the subject matter of claim 1 by adding a fourth step (d), which recites scheduling each of the set of transmission matrices that were decomposed in step (c). Therefore, the Applicant respectfully submits that the objection to claim 2 is improper and should be withdrawn.

In paragraph 4, the Examiner objected to claim 5 as failing to clarify what the variable R represents. In response, claim 5 is amended herein to clarify that “ R_{ij} is an entry corresponding to nodes i, j in a traffic matrix R .” Support for this amendment is found in the specification, e.g., at page 9, line 4. It is believed that this amendment overcomes the Examiner’s objection to claim 5.

In paragraph 5, the Examiner objected to claim 14 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of claim 1. Claim 14 is cancelled herein, thereby rendering moot this objection.

In paragraph 7, the Examiner rejected claim 21 under 35 U.S.C. 112, second paragraph, as being indefinite for lacking antecedent basis for the term “the schedule” in line 8. In response, claim 21 is amended herein to change this term to “a schedule.” It is believed that this amendment overcomes the Examiner’s rejection of claim 21.

In paragraphs 10-15, the Examiner rejected claims 1, 2, 18, 21, and 22 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,768,718 (“Beshai”).

In paragraph 18, the Examiner rejected claims 3-4 and 12-14 under 35 U.S.C. 103(a) as being unpatentable over Beshai in view of U.S. Patent Application Pub. No. 2003/0185205 (“Beshai II”).

In paragraph 19, the Examiner rejected claims 15-17, 19, and 20 under 35 U.S.C. 103(a) as being unpatentable over Beshai in view of U.S. Patent Application Pub. No. 2004/0037301 (“Shachar”).

In paragraph 25, the Examiner indicated that claims 5-9 define allowable subject matter. In paragraph 26, the Examiner indicated that claims 10 and 11 define allowable subject matter.

For the following reasons, the Applicant submits that all of the pending claims are allowable over the cited references.

Claims 1-9, 11-13, and 15-22

Claim 1 has been amended to include the features of previously-pending, now-cancelled claim 10. As such, currently amended claim 1 is equivalent to previously-pending claim 10 rewritten in independent form. Since the Examiner stated that previously-pending claim 10 would be allowable if rewritten in independent form, the Applicant submits that currently-amended claim 1 is allowable. Since claims 2-9, 11-13, and 15-20 depend variously from claim 1, it is further submitted that those claims are also allowable.

Claims 21 and 22 are amended in like manner to claim 1, to include the features of previously-pending claim 10, and are therefore also believed to be allowable.

New Claims 23-41

The following table illustrates the previously-pending claims that provide support for each of new claims 23-41:

SUPPORT FOR NEW CLAIM	FOUND IN PREVIOUSLY-PENDING CLAIM(S)
23	1, 2, and 5
24	3
25	4
26	6
27	7
28	8
29	9
30	10
31	11
32	12
33	13
34	15
35	16
36	17
37	18
38	19
39	20
40	21 and 5
41	22 and 5

New claim 23 is equivalent to previously-pending claim 5 rewritten in independent form. Since the Examiner stated that previously-pending claim 5 would be allowable if rewritten in independent form, the Applicant submits that new claim 23 is allowable. Since claims 24-39 depend variously from claim 23, it is further submitted that those claims are also allowable.

New claims 40 and 41 also include the features of previously-pending claim 5, and are therefore also believed to be allowable.

In view of the above amendments and remarks, the Applicant believes that the now-pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Fees

During the pendency of this application, the Commissioner for Patents is hereby authorized to charge payment of any filing fees for presentation of extra claims under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 or credit any overpayment to Mendelsohn & Associates, P.C. Deposit Account No. 50-0782.

The Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR § 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Respectfully submitted,

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